

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/166,701 10/05/98 ODIDI SMI-005.01

PATENT GROUP
FOLEY HOAG & ELIOT
ONE POST OFFICE SQUARE
BOSTON MA 02109-2170

0242/T11

NOT ASSIGNED

677 99

1614

DATE MAILED:

11/17/98

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1770.

- ☒ 1. The statutory basic filing fee is:
- ☒ missing.
 - ☐ insufficient.
- Applicant must submit \$ 1770 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 202, including any multiple dependent claim fees, are required.
- \$ 376 for 3 independent claims over 3.
- \$ 284 for 13 dependent claims over 20.
- \$ 370 for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY

02/02/1999 558LEB 00000071 061446
558LEB 00000071 061446
01 FC:205
02 FC:201
03 FC:203
04 FC:202
05 FC:204



See also \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Odidi, I. and Odidi, A.

Serial No: 09/166,701

Filing Date: October 5, 1998

For: Controlled Release Pharmaceutical Delivery Device
and Process for Preparation Thereof

Atty. Docket No. SML-005.01

ATTN: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Services as First Class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date set forth below.

Jan. 19, 1999
Date of Signature and Mail Deposit

By: *R. Landa*

RESPONSE TO NOTICE TO FILE MISSING PARTS AND FEE TRANSMITTAL

Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated November 17, 1998, Applicants' agent submits herewith one executed Declaration, Petition, and Power of Attorney, and a Verified Statement Claiming Small Entity Status. A copy of Form PTO-1533 is also enclosed.

The filing fee has been calculated as shown below:

			SMALL ENTITY		OTHER THAN SMALL ENTITY	
	# FILED	# EXTRA	Rate	FEE	Rate	FEE
BASIC FEE			\$395	\$ 395	\$790	\$
TOTAL CLAIMS	33 - 20 =	13	x 11	\$ 143	x 22	\$
INDEP. CLAIMS	6 - 3 =	3	x 41	\$ 123	x 82	\$
[x] MULTIPLE DEPENDENT CLAIMS PRESENTED			\$135	135		
TOTAL:				\$ 796		\$

[x] The Commissioner is hereby authorized to charge the amount of \$861 to cover the filing fee (\$796) and surcharge/small entity (\$65) to our Deposit Account No. 06-1448.

[x] The Commissioner is hereby authorized to charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 06-1448. A duplicate copy of this sheet is enclosed.

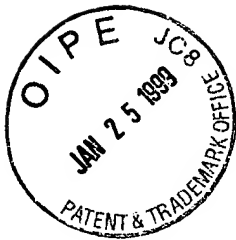
Respectfully submitted,
FOLEY, HOAG & ELIOT LLP



Isabelle M. Clauss, Ph.D.
Registration No. (*see enclosed*)
Agent for Applicants

Patent Group
FOLEY, HOAG & ELIOT LLP
One Post Office Square
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(617) 832-1000

Date: 1/9/1999



**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Isabelle M. Clauss is hereby given limited recognition under 37 CFR § 10.9(b), as an employee of the Foley, Hoag & Eliot, LLP, law firm, to prepare and prosecute patent applications and to represent patent applicants wherein the applicants are clients of the Foley, Hoag & Eliot, LLP, law firm, and wherein a registered practitioner who is a member of the Foley, Hoag & Eliot, LLP, law firm, is the attorney of record. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Isabelle M. Clauss ceases to lawfully reside in the United States, (ii) Isabelle M. Clauss's employment with the Foley, Hoag & Eliot, LLP, law firm, ceases or is terminated, or (iii) Isabelle M. Clauss ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: April 16, 1999

Karen L. Bovard, Director
Office of Enrollment and Discipline